

REMARKS

Request for Withdrawal of Finality

Applicant thanks the Examiner for a thorough review of all claims, but if action other than allowance of the pending claims is to be made, Applicant respectfully requests that the finality of the office action be withdrawn. The Examiner stated that the action is made final because Applicant's amendment necessitated the new ground(s) of rejection. Applicant respectfully disagrees with this allegation. MPEP §706.07(a) provides that a second action on the merits shall be final:

except where the examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment of the claims nor based on an information disclosure statement . . .

Applicant's amendment to the Claim 1 in response to the previous office action merely clarified the language of the claim, and made explicit what was implicit in the original, unamended Claim 1. The amendment made by Applicant did not broaden Claim 1, and did not add limitations introducing new elements, and thus did not necessitate a new search and new grounds for rejection. In particular, the amendment to Claim 1 merely clarified that a master transceiver performs channel bonding operations for aligning data. As is well-known to one of skill in the art, and as explained in the previous response, channel bonding operations are an alignment process for data. That is, data alignment is inherent in channel bonding operations. Therefore, Applicant respectfully requests withdrawal of the finality of the present Office Action. The remainder of the remarks assumes that such finality will in fact be withdrawn.

Summary of Claim Status

Claims 1-20 are pending in the present application after entry of the present amendment. Claims 1-4 and 9-12 are rejected for the reasons discussed below.

Claims 5-8 and 13-20 are allowed. Applicant thanks the Examiner for this acknowledgement of patentable subject matter.

Applicant respectfully requests favorable reconsideration of the claims and withdrawal of the pending rejections in light of the following discussion.

Rejections Under 35 U.S.C. § 103

Claims 1-4 and 9-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lippett et al., U.S. Patent No. 6,667,993 ("Lippett"), in view of Cotton et al., U.S. Patent No. 5,870,441 ("Cotton"). Applicant respectfully disagrees, and traverses the rejection with respect to all claims.

With respect to Claim 1, the Office Action alleges that Lippett teaches a master transceiver (Fig. 5, means 400(0)), a plurality of first level transceivers (Fig. 5, means 400(1)-400(n)) and a plurality of second level transceivers (Fig. 8, means 700(1)-700(n)). Applicant respectfully disagrees with this characterization of Lippett.

Figs. 5 and 8 of Lippett merely show the interconnections of a plurality of data link transmitters and data link receivers, respectively. See, e.g., Lippett at col. 2, lines 46-47 and lines 52-53. That is, Fig. 5 shows the interconnections on the transmitting side of a data link and Fig. 8 shows the interconnections on the receiving side of the link. In both cases, single master (400(0) in Fig. 5 and 700(0) in Fig. 8) controls one level of slave transmitters or receivers (slave transmitters 400(1)-400(n) or slave receivers 700(1)-700(n)). As described in Lippett, the slave transmitters are controlled by the master transmitter through a TFPIN input, and the slave receivers are controlled by the master transmitter through an RFPIN input. There is no teaching in Lippett that the slave receivers 700(1)-700(n) are a plurality of second level transceivers controlled by one of the first level transceivers.

Moreover, there is no teaching or suggestion at all in Lippett of any second level of slave transceivers. As stated in Lippett: "One data link receiver is designated as the master receiver and the other receivers are designated slaves." Lippett at col. 9, lines 47-49. That is, there is only a single level of receivers that are controlled by a single master in Lippett. None of the sections cited by the Examiner appears to teach a plurality of second level transceivers, as recited in Claim 1. Col. 4, lines 12-16 of Lippett merely states that one link is designated as a master link and all other links are slave links, and slave links are synchronized to the master link. This means that a

single master is used to control all the other links, and thus teaches away from a plurality of second level transceivers, each controlled by a first level transceiver. Col. 5, lines 1-8 of Lippett merely describes Fig. 4 and states that transmitters are synchronized using a master transmit strobe. Col. 9, lines 43-54 merely describes Fig. 8, which as noted above is a system having a single level of receivers controlled by a single master.

Therefore, Lippett clearly does not teach or even suggest a plurality of second level transceivers as recited in Claim 1. In fact, the cited portions of Lippett merely describe a single master transmitter controlling a single level of slave transmitters, and a single master receiver controlling a single level of slave receivers.

The Office Action also alleges that: "Cotton teaches each of the plurality of transceivers can be selected as either the master transceiver, one of the first level transceivers or one of the second level transceivers since the master buffer can be switched to a slave buffer and vice versa." Office Action at page 3. Applicant respectfully submits that simply stating that a master buffer can be switched to a slave buffer, does not mean that a transceiver may be selected as either a master transceiver, a first level transceiver, or a second level transceiver. Furthermore, Claim 1 does not recite any features directed to selecting or switching. Claim 1, in fact, recites a master transceiver, a plurality of first level transceivers, and a plurality of second level transceivers.

More importantly, Cotton does not appear to teach any transceivers at all. In fact, Cotton does not even mention the term "transceiver" or any similar term. Cotton apparently relates to a distributed clocking system. In the clocking system of Cotton, a clock source may operate as a master clock for synchronizing the entire system, or may operate as a slave to an external clock. See, e.g., Cotton at Abstract. Applicant submits that Cotton is non-analogous art to the present invention, since Cotton relates to the art of distributed clocking, and the present invention relates to channel bonding.

Moreover, even in the art of distributed clocking, Cotton does not teach any second level, and clearly does not teach or suggest each of a plurality of second level transceivers being controlled by one of a plurality of first level transceivers. The portion of Cotton cited by the Examiner merely states that the highest ranked clock is

selected to serve as a master clock. All other clocks in the system are operate as slaves to an external clock, but remain available to become the master clock if the master clock fails. See Cotton at col. 2, lines 56-67, and col. 3, lines 1-7. Thus, Cotton teaches a single master clock and a single level of clock sources that are slaves to an external source. If the master clock fails, one of the slaves then becomes the master.

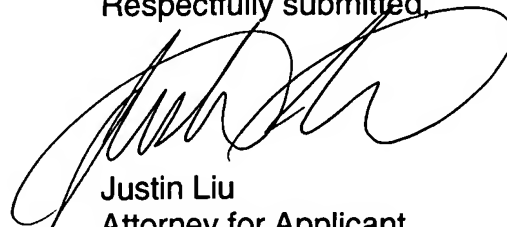
Therefore, Applicant believes Lippett and Cotton, alone or in any combination, do not teach or even suggest the invention of Claim 1, and Applicant respectfully requests allowance of Claim 1.

Claims 2-4 and 9-12 depend, either directly or indirectly, from Claim 1, and thus include all of the limitations of Claim 1. Applicant believes Claim 1 is allowable for the reasons set forth above. Therefore, for at least the same reasons, Applicant believes Claims 2-4 and 9-12 are also allowable, and respectfully requests allowance of such claims.

Conclusion

Applicant respectfully requests that the Examiner reconsider the final rejection and consider the above arguments. These arguments are believed to clearly indicate that the application, including Claims 1-20, should be allowed. Therefore, Applicant respectfully requests allowance of the application. If any action other than allowance is contemplated by the Examiner, the Examiner is invited to telephone Applicant's attorney at 408-879-4641.

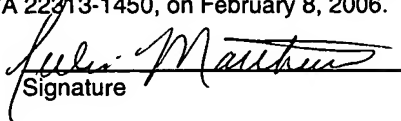
Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450, on February 8, 2006.

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Signature